

March 17, 2005
Seven o'clock P.M.
Council Chambers, City Hall
North Little Rock, Arkansas

The regular meeting of the North Little Rock City Council scheduled for Monday, March 17, 2005, was called to order at 7:00 p.m. by the honorable Mayor PATRICK HENRY HAYS. The roll having been called, and the following Aldermen answered to their names: MARTIN GIPSON, NEIL BRYANT, LINDA ROBINSON, OLEN THOMAS, GARY BERRY, JOHN PARKER, CHARLIE HIGHT and MURRY WITCHER, a quorum was declared (8/0).

The invocation was given by Alderman Gipson, followed by the pledge of allegiance to the flag which was led by Alderman Bryant.

On the motion of Alderman Witcher and seconded by Alderman Berry, and by consent of all members present, the minutes from a regular council meeting held on Monday, February 28, 2005, were approved, accepted and filed as prepared by the City Clerk (8/0).

Mayor Hays advised Mrs. Charlotte Thomas from his staff, had lost her husband Curtis. Charlotte and Curtis had been together since 8th Grade and were married for 36 years. Mayor Hays extended sympathy from the council to Charlotte, her children and other family.

On the motion of Alderman Berry and seconded by Alderwoman Robinson, and by consent of all members present, communications #1, 2, 3, 4, 6, and 7 were not read, but accepted and filed (8/0).

1. Ronnie Colvin, Vice President and General Manager Comcast Cable letter re: convenience payment fee of \$4.00 to be charged when payments are made by telephone.
2. David C. Sanders Petition requesting alley closing 24th and 25th North and South and Division and Franklin East and West (alley runs North and South between 24th and 25th) (8 signatures).
3. Fire Chief Joe McCall letter to Mayor re: recommendation to abolish two fire districts (downtown area).
4. John Rosenow, President National Arbor Day Foundation re: North Little Rock 2004 Tree City USA.
6. Sharon Tedford, Mayor's Office memorandum re: transfer location for wholesale liquor and beer from 4000 W. 65th Street to 800 Judi Drive by David Cone, Strauss Distributing Company.
7. Betty Moreland, Petition requesting speed hump on North "I" Street Dixie Addition (20 signatures).

On the motion of Alderman Witcher and seconded by Alderman Berry, and by consent of all members present, communication #5 was read by title only, accepted and filed (8/0).

5. Fritz Friedl, Director of Volunteer Services, Annual Report of Volunteer Service (2004).

Mayor Hays invited Mr. Friedl to speak. Mr. Friedl advised he has been the Volunteer Director for 16 years. A number of people volunteer their time throughout the city in various departments and other areas. The number of volunteers continues to increase. Mayor Hays thanked Mr. Friedl and all of the volunteers for their time and efforts.

Mayor Hays invited Ms. Mary Beth Bowman, Community Development Director to come forward. Ms. Bowman introduced Dr. Estella Morris, Program Manager of the Veterans Administration Drop-In Day Treatment Center for North Little Rock's Homeless Veterans. Dr. Morris thanked the Mayor and Council for their support and presented Mayor Hays with a plaque.

Mayor Hays invited Dr. David Sink, Professor at the University of Arkansas at Little Rock to come forward. Dr. Sink introduced Mr. Andre Bernard, Director of the Department of Housing and Neighborhood Programs for the City of Little Rock. Mr. Bernard thanked the city for the invitation to present information to the council and hopes that Little Rock and North Little Rock continue to work together to address homeless issues. Dr. Sink distributed a draft of a "Ten Year Plan to End Chronic Homelessness" which included a summary, recommendations, priorities and strategies. The Plan will be presented to the City of Little Rock next week. Dr. Sink would like to present a formal plan to the City of North Little Rock at a later date. A day resource center is planned which could serve as a drop-in center for people to shower, do laundry or use as a mailing address. It would also be the headquarters of homeless services and provide outreach and work referrals. The rate of homeless people has grown by about 20 percent. The number of homeless women with families is increasing.

Mayor Hays reconvened a public hearing at 7:29 p.m. regarding O-05-06 "New Zoning Ordinance" and asked Mr. Robert Voyles, Planning Director to come forward. Mr. Voyles said the Planning Department has been working for two years with legal, consultants and the Planning Commission to provide a zoning document which would include amendments and changes. New tables were created and archaic language was removed. Mr. Voyles distributed a memorandum including 14 proposed changes to the draft document (see amendments O-05-06). Once adopted, the ordinance and attachments will be posted on the City's website. Alderwoman Robinson asked about residential parking on premises (grass/yard). Mr. Voyles advised residential parking is not included and may be considered under a future overlay plan. Alderman Thomas said people in his ward may be inconvenienced if they cannot park tractor truck rigs at their homes. Mr. Bobby Taylor said a tractor and trailer in his neighborhood creates a traffic hazard and is noisy when the owner starts it at 2:00 a.m. Mr. James Ard asked about 3/4 ton trucks in residential areas and advised he is considering buying a 3/4 ton van for his work. Alderman Gipson said any vehicle which requires a "B" type license or has dual rear wheels would be included. Mayor Hays adjourned the public hearing at 7:45 p.m.

Mayor Hays announced the special call scheduled for 7:05 p.m., March 17, 2005.

March 16, 2005

Honorable Members of the City Council
Re: Special Council Meeting

Dear Members of the City Council:

This is to advise that we have called a special Council meeting of the North Little Rock City Council for 7:05 p.m., March 17, 2005, at City Hall, Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

- 1) AN ORDINANCE CREATING THE NORTH LITTLE ROCK PUBLIC FACILITIES BOARD FOR RIVERFRONT DEVELOPMENT (AKA RIVERFRONT DEVELOPMENT BOARD) PURSUANT TO THE PROVISIONS OF ARK. CODE ANN. § 14-137-101 ET SEQ.; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

Sponsored by: Mayor Patrick H. Hays

The law requires that you be notified of the time, place and subject matter of any specially called Council meeting. This notice does not require any special written formalities or waivers on your behalf, unless you are notified within a 24-hour period prior to the special meeting.

It is requested that each of you sign the cover letter simply to indicate that you have been informed of the nature and time of the meeting. However, please be aware that your signature is not required unless a period of less than 24 hours remains before the designated time for the meeting and you have not previously received notice.

This will evidence that I have received this notice of a special Council meeting for 7:05 p.m., Thursday, March 17, 2005, at City Hall, Council Chambers, North Little Rock, and waive time of notice.

/s/ Martin Gipson
MARTIN GIPSON

/s/ Gary Berry
GARY BERRY

/s/ Neil Bryant
NEIL BRYANT

/s/ John Parker
JOHN PARKER

/s/ Olen Thomas
OLEN THOMAS

/s/ Murry Witcher
MURRY WITCHER

/s/ Linda Robinson
LINDA ROBINSON

/s/ Charlie Hight
CHARLIE HIGHT

SPECIAL CALL #1 (ORDINANCE NO. 7695 - MAYOR HAYS)
AN ORDINANCE CREATING THE NORTH LITTLE ROCK PUBLIC FACILITIES BOARD FOR RIVERFRONT DEVELOPMENT (AKA RIVERFRONT DEVELOPMENT BOARD) PURSUANT TO THE PROVISIONS OF ARK. CODE ANN. § 14-137-101 ET SEQ.; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (8/0). On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (8/0). The ordinance was read a third and final time. On the motion of Alderman Gipson and seconded by Alderman Hight, and by consent of all members present, the ordinance was amended as follows: *correct wording in Section 2. name of board shall be the NORTH LITTLE ROCK PUBLIC FACILITIES BOARD FOR RIVERFRONT DEVELOPMENT and Section 1 (a) delete improved and replace with THE* (8/0). On the motion of Alderman Witcher and seconded by Alderman Hight, and the roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted as amended (8/0). Emergency clause unanimously adopted (8/0). Mayor Hays advised the board will aid in development of a proposed ball field and other areas. A financing plan will be presented to the council next month.

Alderman Gipson and Mayor Hays requested R-05-36 be called.
R-05-36 (RESOLUTION NO. 6733 - MAYOR HAYS)
A RESOLUTION APPROVING THE ISSUANCE OF REVENUE REFUNDING BONDS BY THE NORTH LITTLE ROCK HEALTH FACILITIES BOARD (BAPTIST HEALTH); AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderman Berry. Mr. Harrison Dean, Baptist Health advised the City Council approved a Health Facilities Board in 1996 which allowed Baptist Health to issue bonds for construction at Springhill Drive. They would like to refinance the bonds at a lower interest rate. On the motion of Alderman Berry and seconded by Alderman Gipson and by consent of all members present, the resolution was amended as follows: *a report provided this date was attached to the legislation* (8/0). Mr. Jim Buttrey, Attorney at Law, advised R-05-35 needed to be adopted regarding the appointment and reappointment of board members prior to R-05-36. (See below**).

R-05-35 (RESOLUTION NO. 6732 - MAYOR HAYS)
A RESOLUTION CONFIRMING THE APPOINTMENT AND REAPPOINTMENT OF MEMBERS OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS HEALTH FACILITIES BOARD (BAPTIST HEALTH); AND FOR OTHER PURPOSES, was read. On the motion of Alderman Gipson and seconded by Alderman Berry, and by consent of all members present, the resolution was unanimously adopted (8/0).

**R-05-36 continued:
On the motion of Alderman Gipson and seconded by Alderman Witcher, and by consent of all members present, the legislation was adopted as amended (8/0).

UNFINISHED BUSINESS
R-05-25 (RESOLUTION NO. 6734 - MAYOR HAYS)
A RESOLUTION REAPPOINTING GREG YIELDING TO THE HISTORY COMMISSION; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Gipson and seconded by Alderman Berry, and by consent of all members present, the resolution was unanimously adopted (8/0).

O-05-06 was held until the end of the agenda.

O-05-07

AN ORDINANCE RESTRICTING INDUSTRIAL ACCESS THROUGH RESIDENTIALLY ZONED PROPERTY; AMENDING ORDINANCE NO. 3171; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read three times on January 24, 2005, and amended, was called this date and withdrawn at the request of the sponsor, Alderman Berry.

NEW BUSINESS

R-05-33 (RESOLUTION NO. 6735 - MAYOR HAYS)

A RESOLUTION ADOPTING SALARY SCHEDULE FOR NORTH LITTLE ROCK POLICE DEPARTMENT OFFICERS; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Gipson and seconded by Alderman Thomas, and by consent of all members present, the resolution was unanimously adopted (8/0). Mayor Hays advised this legislation is not part of negotiations with the Police or Fire Departments. This legislation makes the starting salaries for new officers competitive with other agencies in the area.

R-05-34 (RESOLUTION NO. 6736 - MAYOR HAYS)

A RESOLUTION SUPPORTING THE CITY COUNCIL PARTNERING WITH THE NORTH LITTLE ROCK SCHOOL DISTRICT AND WILDCAT FOUNDATION FOR CONSTRUCTION OF A TRAINING AND CONCESSION FACILITY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Hight and seconded by Alderman Thomas, and by consent of all members present, the resolution was unanimously adopted (8/0). Mayor Hays advised the city would be able to use the facility.

*** (R-05-35 and R-05-36 called previously, see above)*

R-05-37 (RESOLUTION NO. 6737 - MAYOR HAYS)

A RESOLUTION AUTHORIZING PRO RATA FUNDING FOR THE OUTSIDE ENTRANCE OF THE NEW ARKANSAS SPORTS HALL OF FAME CENTER AND MUSEUM; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Berry and seconded by Alderman Hight, and by consent of all members present, the resolution was unanimously adopted (8/0). Mayor Hays said the Arkansas Sports Hall of Fame is currently under construction.

Mayor Hays acknowledged Mr. Bob McCord who was present.

R-05-38 (RESOLUTION NO. 6738 - MAYOR HAYS)

A RESOLUTION APPOINTING JULIE RICHARDS TO THE NORTH LITTLE ROCK CITY BEAUTIFUL COMMISSION, AND FOR OTHER PURPOSES, was read. On the motion of Alderman Hight, and seconded by Alderman Witcher, and by consent of all members present, the resolution was unanimously adopted (8/0).

R05-39 (RESOLUTION NO. 6739 - MAYOR HAYS)

A RESOLUTION AUTHORIZING EXTENSION OF INSURANCE COVERAGE FROM RAMSEY, KRUG, FARRELL & LENSING FOR COMPREHENSIVE LOSS AND BUSINESS INTERRUPTION INSURANCE FOR THE MURRAY HYDROELECTRIC PLANT; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Berry and seconded by Alderman Gipson, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-05-40 (RESOLUTION NO. 6740 - MAYOR HAYS AND ALDERMAN WITCHER)

A RESOLUTION APPROVING PLAN FOR RENOVATIONS TO THE COUNCIL CHAMBERS OF THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderman Hight. Alderman Witcher advised a ramp for persons with disabilities would be concealed under the floor on the left side of the council area and would be extended as needed. Connecting seating would be used in the audience area and the High School would be offered the return of the theater seating. On the motion of Alderman Witcher and seconded by Alderman Berry, and by consent of all members present, the legislation was amended as follows: *substitute* EXHIBIT “A” *provided this date* (8/0). Alderwoman Robinson asked if the media/press would be provided a writing surface. A portable table would be provided which could also be used by the Civil Service Commission during hearings. The City Clerk and Assistant City Clerk agreed with the proposed changes which would include relocating them and raising the area to the same elevation as the council. The same would apply to the City Attorney. On the motion of Alderman Witcher and seconded by Alderman Berry, and by consent of all members present, the resolution was unanimously adopted as amended (8/0). Alderman Witcher advised Pulaski County has offered the use of the Quorum Court meeting room for City Council meetings. The School District meeting room could be utilized, however, the meeting would not be televised live, but delayed. Alderman Thomas questioned holding the North Little Rock City Council meeting in Little Rock. Audio and visual capabilities are needed and could be an additional cost. Mayor Hays said options are being considered.

O-05-16 (ORDINANCE NO. 7696 - MAYOR HAYS)

AN ORDINANCE AMENDING ORDINANCE NO. 7166 AND ORDINANCE NO. 3171 (THE ZONING ORDINANCE) TO AMEND BUILDING HEIGHTS FOR CERTAIN RESTRICTED PROPERTIES IN THE C-6 ZONE OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Gipson and seconded by Alderman Berry, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (8/0). On the motion of Alderman Gipson and seconded by Alderman Thomas, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (8/0). Mayor Hays advised the ordinance would need to be amended to change four stories to five. On the motion of Alderman Hight and seconded by Alderman Gipson, and by consent of all members present, the ordinance was amended as follows: Section 1: 701.2-5.4 F. *delete four and replace with FIVE* (8/0). Building standards were discussed along with the visual interruptions related to the Jackson Cookie property. Alderman Hight said he would like to see development along the river similar to what he saw recently in Georgetown and Newport, Kentucky. Alderman Gipson said the above amendment needs to be made in the proposed zoning ordinance as well. On the motion of Alderman Gipson and seconded by Alderman Berry, and the roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted as amended (8/0). Emergency clause unanimously adopted (8/0).

**O-05-06 (recalled) (ORDINANCE NO.7697 - MAYOR HAYS, ALDERMEN GIPSON, BERRY, WITCHER, ROBINSON, BRYANT, HIGHT, AND PARKER)

AN ORDINANCE REPEALING ORDINANCE NO. 3171 (“THE ZONING ORDINANCE”) AND ALL AMENDMENTS THERETO; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES,

was read one time, January 24, 2005, and amended, a presentation was held on February 14, 2005. Mayor Hays reconvened a public hearing this date (see above). The ordinance was read a third and final time. A memorandum distributed by Mr. Voyles during the public hearing was reviewed by item number. A motion to adopt the ordinance as previously amended was made by Alderman Hight and seconded by Alderman Berry. On the motion of Alderman Gipson and seconded by Alderman Berry, and by consent of all members present, the zoning draft dated February 28, 2005, was amended as follows:: *to accept proposed amendments as reflected in memorandum distributed this date 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and new amendment number 15.* THOSE CHANGES AS INCORPORATED BY ORDINANCE O-05-16, (excluding proposals 1 and 4 of the memorandum) (8/0). Alderman Gipson made a motion to adopt proposed amendment 1 which was seconded by Alderman Berry. Alderman Parker served on the Board of Adjustment for ten years which has opposed building front yard fences due to previous ordinance restrictions. Architectural fencing was discussed. On the motion of Alderman Gipson and seconded by Alderman Berry, and by consent of all members present, the draft was amended as follows:: *amendment 1 of the memorandum ADDITIONAL SENTENCE: ARCHITECTURAL FENCES DO NOT INCLUDE OPAQUE OR CHAIN LINK FENCES* (8/0). On the motion of Alderman Berry and seconded by Alderman Gipson, and by consent of all members present, the previous amendment regarding memorandum item 1 was unanimously adopted as amended (8/0). Regarding proposed amendment 4 of the memorandum, Alderman Gipson discussed current rules regarding restricted areas and vehicles requiring a class “B” license. Alderman Gipson said Recreational Vehicles can be parked in residential areas as long as they do not extend beyond the front yard right-of-way or easement. On the motion of Alderman Gipson and seconded by Alderman Hight, and by consent of all members present, the draft was again amended as follows:: *amendment 4 of the memorandum ADDITIONAL SENTENCE: EMERGENCY VEHICLES (WHICH INCLUDE WRECKERS AND AMBULANCES) ARE EXEMPT FROM THIS PROVISION* (8/0). On the motion of Alderman Witcher and seconded by Alderman Gipson, and by consent of all members present, with the exception of Alderwoman Robinson and Alderman Thomas who voted no, the previous amendment regarding memorandum item 4 was adopted as amended (6/2). On the motion of Alderman Gipson and seconded by Alderman Bryant, and the roll having been called, and all members present having voted in the affirmative, with the exception of Alderman Thomas who voted no, the entire new proposed zoning ordinance was adopted as amended (7/1). On the motion of Alderman Gipson and seconded by Alderman Hight, and the roll having been called, and by consent of all members present, the emergency clause was amended to become effective April 1, 2005 (8/0). Mr. Voyles advised this would allow adequate time to prepare, update and print the new zoning ordinance.

PUBLIC COMMENTS-----

Alderman Gipson said the selling of used vehicles needs to be addressed as many are being placed on vacant properties within the city. Aldermen Witcher, Hight and Parker recently went to Washington DC to attend the National League of Cities Congressional meetings. Alderman Witcher attended a briefing at the White House hosted by the Inter-governmental Affairs Office, where merging approximately 18 programs was the topic. A significant item that would affect North Little Rock would be the Community Development Block Grant (CDBG) Program which would be cut by \$2 billion in 2006. Fifty-five Senators agreed they would not remove or decrease CDBG Programs. Alderman Parker attended a Leadership Session which was beneficial in providing an opportunity to visit with people from other communities around the Nation, similar to North Little Rock. Mayor Hays attended meetings to advocate retention of funding for AmTrak in terms of inner-city rail service and service for the country. Alderman Hight said the meeting was a great opportunity to network and learn. Mr. Bobby Taylor commended Mr. Voyles regarding a manufactured home on Boyer and asked the council to support Mr. Voyles and the Plannning Commission regarding the same. Mr. James Ard asked about emergency vehicles including utility vehicles in the new zoning ordinance. Mr. Ard said several police officers were concerned about having to give up their benefits and negotiations with the city. Mr. Dean Edwards said Monday, (March 21, 2005) is Arbor Day. At 12:30 p.m. four trees will be planted in front of the Patrick Henry Hays Senior Citizens Center and invited everyone to join the Tree Board members and volunteers. North Little Rock has been named a Tree City USA for 2004. Ms. Jackie Alexander lives in the Glenview Community and advised there are two areas of their community (north and southwest). Ms. Alexander said the southwest area is zoned R-3 while the north area is zoned R-1. She asked what the community needs to do to get both areas zoned R-1. Mayor Hays asked Mr. Voyles to visit with Ms. Alexander regarding her request.

There being no further business to come before the Council, and on the motion of Alderman Witcher and seconded by Alderman Berry, and no one else wishing to be heard, the meeting adjourned at 9:00 p.m. (8/0), until the next regular meeting to be held on Monday, March 28, 2005, at seven o'clock p.m. in the City Council Chambers, City Hall, North Little Rock, Arkansas.

APPROVED:

MAYOR PATRICK HENRY HAYS

ATTEST:

DIANE WHITBEY, CITY CLERK